



Docket No. 35.C10499 CI/DI
Date: November 15, 1999

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

#17/Noting
Appeal
mm
2-400

In re Application of: HIDEAKI MITSUTAKE, ET AL.

Application No.: 09/045,681

For: ELECTRON BEAM APPARATUS AND IMAGE FORMING
APPARATUS

Filed: March 23, 1998

Group Art Unit: 2879

RECEIVED
NOV 17 1999
TELETYPE ROOM

To Assistant Commissioner for Patents
Box AF
Washington, D.C. 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals
and Interferences from the decision dated May 13, 1999, of the
Primary Examiner finally rejecting Claims 57 through 63.

The items checked below are appropriate.

1. ☒ A Petition for a TWO month extension of time to respond to the final rejection, together with the \$ 380.00 extension fee under 37 C.F.R. §1.17, was filed on October 13, 1999.
2. ☒ A Petition for an additional ONE month extension of time to take further action, together with the \$ 490.00 extension fee under 37 C.F.R. §1.17, is being filed concurrently herewith.
3. ☒ Fee \$300.00

11/16/1999 YGIZAW 00000113 09045681

00cF04118 11 v1

300.00 DP

☐ Fee \$150.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)

☒ Enclosed

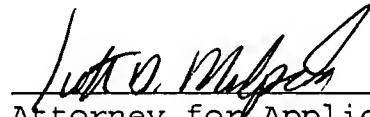
☐ Not required (fee paid in prior appeal)

☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5. ☒ Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants

Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

SDM\rnm